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Consideration of effective measures to enhance the protection, security and safety of diplomatic and consular missions and representatives

Report of the Secretary-General

Addendum

I. Introduction

1. During the period from 16 June to 28 September 2001, additional reports were received from Member States pursuant to paragraph 11 of General Assembly resolution 55/149 of 12 December 2000. The relevant information from those reports is presented in section II below.

II. Reports received from Member States pursuant to paragraph 11 of General Assembly resolution 55/149

2. **Romania** submitted a report, dated 20 June 2001, referring to serious violations of the protection, security and safety of diplomatic and consular missions and representatives of Romania in several countries. The report reads as follows:

Cuba

On 28 May 2000, the Cuban authorities retained two packages constituting the diplomatic bag and did not allow the diplomatic courier to take them, despite the fact that he presented the required official document. After interventions were made at the Cuban Foreign Ministry, the diplomatic bag was taken on 1 June 2000.

Kenya

On 12 January 2001, the premises of Romanian Embassy in Nairobi were broken into and several items stolen. The police investigation did not lead to the questioning or arrest of any suspect to date.

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Malaysia

On 8 March 2000, at 4.30 a.m., the residence of the chief of mission was attacked by a group of six armed persons. The chief of mission, alerted by the noise made by the aggressors, locked himself and his family in the residence, putting up resistance until the chauffeur arrived. Together, they managed to drive the aggressors away. The local police arrived an hour and 15 minutes after being called.

Morocco

On 24 January 2000, during the night, the residence of the Romanian ambassador in Rabat was broken into and valuables stolen. During the burglary, the ambassador was inside the residence and his life was endangered. The police investigation did not lead to any suspect.

Ukraine

The Consulate-General of Romania in Chernivtsi (Cernauti) reported a number of incidents as follows:

- On 13/14 July 2000 the Vice-Consul's car (registered DP-03428) was stolen and the competent authorities have yet to find it;
- On 22 July 2000 the local police retained the Consulate's chauffeur, a locally-employed person, and the diplomatic car (DP-3423) owned by the Romanian Ministry of Foreign Affairs. The chauffeur was not allowed to contact the Consulate, was not allowed legal assistance and was interrogated for four hours, eventually being liberated without explanation;
- On 21/22 August 2000, during the night, unknown persons threw stones at the residence of the Consul-General;
- On 21/22 March 2001, again during the night, the consular premises had become the target of another attack: unknown persons broke the window of the front door, causing some damage to the interior of the premises;
- On 8/9 April 2001, paving stones were thrown through the window of the entrance door of the premises of the Consulate-General, damaging an inside wall of the building.

Uzbekistan

On 14 February 2001, after midnight, four armed men wearing masks and black clothes attacked the premises of the Romanian Embassy in Tashkent, broke into the apartment of the chief of the mission located in the same building, threatened him with death and then tortured the driver and his wife, asking them to tell where the valuables of the mission were being kept.

The local authorities identified and arrested the perpetrators, who were brought to justice on 5 April.

The whole incident was resolved owing to the fact that the competent authorities provided inadequate security.

Venezuela

On 10 March 2000, unknown persons gained entry into the Romanian Embassy's courtyard, damaged two cars and stole several items.

On 28 April 2000, two watchdogs of the Embassy were poisoned.

Zimbabwe

On 1 November 2000, the offices of the Romanian Embassy in Harare were broken into by unknown persons and several items were stolen.

3. In its report, dated 25 June 2001, **Norway** referred to some incidents involving diplomatic missions in Norway and measures taken by Norwegian authorities in connection with such incidents. The relevant part of the report reads as follows:

On 5 April, and again on 7 November 2000, participants in unlawful demonstrations entered a canopy above the main entrance of the United States Embassy. On the first occasion they managed to lower the flag. Seven people were arrested and fined in April, while eight were arrested and fined in October.

On 27 April 2001, during a visit to the Foreign Ministry by diplomats from the Embassy of the Islamic Republic of Iran, plastic bags containing wet paint were thrown at two cars belonging to the Embassy. Two persons held responsible for throwing bags at one of the vehicles were later arrested and fined.

On 13 October and 11 November 2000, during lawful demonstrations, stones were thrown at the Israeli mission and windows were damaged. On the first occasion plastic bags filled with paint were also thrown. On both occasions one person was arrested and fined.

There has been no personal injury in any of the above-mentioned incidents and the Foreign Ministry has given compensation for any damage made to the property of the missions in these cases, as well as for the removal of spray paint in two cases not mentioned here. Permission to demonstrate outside mission premises were granted on 31 occasions during 2000. Such demonstrations are always supervised by the police, who intervene if the demonstration develops in a way that could impair the dignity of the mission or pose a threat to its security. The vast majority of these demonstrations have been completely peaceful, but on two occasions lawful demonstrations resulted in damage to the chancery because the police were unable to prevent members of the crowd from throwing stones at the windows of the chancery.

4. The report, dated 26 June 2001, submitted by **Denmark**, noted incidents against the embassies and missions of Austria, Iran (Islamic Republic of), the Russian Federation and the Federal Republic of Yugoslavia in Denmark. The relevant part of the report reads as follows:

On 31 January 2000, a Russian citizen of Chechen origin threw a Molotov cocktail at the Russian Embassy in Copenhagen. One person in the Embassy was slightly burnt. On 21 August 2000, the offender was sentenced to treatment in a psychiatric hospital and was subsequently expelled from Denmark.

On 2 September 2000, newspaper was set alight on the outside of the wrought-iron gate in front of the Iranian Embassy. The outside of the gate became slightly sooty.

Further acts of vandalism have been committed in the form of smashing of windows, painting and acid attacks against the missions of Austria, Russia and the Federal Republic of Yugoslavia.

It is emphasized that the Danish Police continuously evaluate the security conditions related to the foreign diplomatic missions in Denmark.

5. **Greece** submitted a report, dated 19 July 2001. The report contained the response to the report of Turkey, dated 5 February 2001 (see A/INF/56/6, para. 9), concerning the security and safety of Turkish diplomatic and consular missions in Greece, as well as provided information on the violation involving the Consul of Greece in Istanbul. The relevant extracts of the report follow:

A. Comments on Turkey's allegations concerning the security of its diplomatic personnel in Greece

Regarding the arson attack on the private vehicle of the Economic Counsellor, Mr. Karakaya, it should be noted that Greek Security Authorities were informed of the incident several hours later. No signs of burglary were found in the closed garage. The investigation is ongoing.

Greek authorities take tight security measures for the protection of the Turkish missions in Athens as well as for their personnel (more than 30 members of their staff are under protection).

B. Violation of the protection, security and safety of Greek diplomatic and consular missions in Turkey

On 15 June 2001, the apartment of Mr. Emm. Apostolakis, Consul of Greece in Istanbul, showed signs of having been burglarized. A few personal belongings were missing while others, of much higher value, were not touched.

6. **Uzbekistan**, in its report dated 10 August 2001, provided information regarding the violation against the Romanian Embassy that took place in Tashkent on 14 February 2001. The report was submitted in response to the report of Romania, dated 20 June 2001 (see para. 2 above). It reads as follows:

The incident referred to in the report by the Permanent Mission of Romania to the United Nations did in fact occur on 14 February 2001, when four citizens of the Republic of Uzbekistan carried out an armed attack against the Romanian Embassy in Tashkent for the purpose of robbery.

As a result of the effective action taken by the investigative bodies, the criminals were arrested. They were found guilty by the court and sentenced to the corresponding term of imprisonment. The stolen property and valuables will be returned to their owners.

The crime itself was not aimed at destabilizing Uzbek-Romanian relations and, to date, is the sole such incident.

In accordance with the requirements of the Vienna Convention on Diplomatic Relations (18 April 1961), the Republic of Uzbekistan unswervingly carries out its obligations to take the necessary measures to protect diplomatic missions.

At the same time, pursuant to General Assembly resolution 55/149 of 12 December 2000, without prejudice to their privileges and immunities, it is the duty of all persons enjoying such privileges and immunities to respect the laws and follow the rules and procedures adopted in the receiving State.

In accordance with the existing practice in Uzbekistan, the placing of a guard post near the buildings of diplomatic missions is arranged through a written request addressed to the Ministry of Foreign Affairs. Within this framework, the Romanian Embassy in Tashkent submitted, on 11 June 1998, a request to the Ministry to have a guard post set up near the Embassy building. The competent authorities of the Republic of Uzbekistan began the corresponding work, which was halted at the request of the Romanian side because of a move to another building. Prior to the incident in question, no further requests from the Romanian Embassy in Tashkent to ensure safety had been received.

In May 2001, the Government of the Republic of Uzbekistan adopted a corresponding normative act regulating the activities of the diplomatic missions and consular institutions of foreign States and the missions of international organizations and their personnel in the Republic of Uzbekistan. This act, in particular, provides for a procedure for ensuring the safety of diplomatic missions. A special section dealing with matters relating to the security of foreign missions in our country has been set up within the Ministry of Internal Affairs of the Republic of Uzbekistan and is in operation.

Uzbekistan has created all the conditions to enable diplomatic and consular missions to conduct their activities with inviolability, without fear for their lives; the Uzbek side will do everything in its power to prevent a repetition of such an incident.

7. With regard to the incident in Düsseldorf (Germany) on 17 April 2001, as reported by Turkey in its report of 6 June 2001 (see A/INF/56/6, para. 12 (2)), **Germany** submitted a report, dated 30 August 2001, the relevant part of which reads as follows:

Responsibility for the explosion that occurred on 17 April 2001 in front of the Turkish Consulate-General in Düsseldorf has not been claimed in writing by any person or organization. Three anonymous callers claimed responsibility by telephone. Neither the authenticity of these claims nor the identity of the callers could be ascertained. The motives of the perpetrators of the act remain unclear. Pictures recorded by the Consulate-General's own security camera system have been analysed using picture enhancement devices of the Federal and the State bureaux of criminal investigation. They were, however, of insufficiently high quality and did not permit identification. The explosive of the hand grenade used in the incident is still being analysed.

As of 17 April 2001, protective measures for the Consulate-General and the Consul-General's residence have been enhanced. Furthermore, criminal

investigation agents of the State of North Rhine Westphalia and members of the Consulate-General have discussed ways to improve crime prevention.

8. In its report, dated 5 September 2001, **Malaysia** responded to the report submitted by Romania (see para. 2 above), which, inter alia, referred to the attack against the residence of the Chief of the Romanian Mission in Malaysia. The relevant part of the report submitted by Malaysia reads as follows:

> According to the report by the Royal Malaysian Police, at 5.45 a.m. on 8 March 2000, the Police received a call regarding the break-in of the residence of Mr. Mihail Montanu, Chief of Mission of the Embassy of Romania. A police patrol unit, which was doing its routine rounds in the vicinity, was immediately dispatched to the residence. Upon confirmation by the patrol unit that the residence had indeed been broken into, an investigation team was immediately sent to and arrived at the crime scene at 6 a.m. (15 minutes after the police was initially called) to conduct an investigation. A dog sniffer unit was also deployed to the crime scene, but to no avail.
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> Police investigation revealed that the intruders entered the residence by cutting the iron-grilled window of the kitchen. The items stolen, valued at 263 United States dollars, were a compact disc player, a suitcase and office keys. Mr. Montanu confirmed that there were six intruders, all of whom he believed to be aliens, armed with machetes. The police analysed and documented fingerprints found at the crime scene, which they believed to be those of one of the intruders. The police identified 12 suspects in their investigation. The homes of the suspects were also inspected for the stolen items. None of the items were found and no match was found of the fingerprints found at the crime scene. Due to lack of evidence all the suspects were released. Inability to bring the perpetrators to justice is mainly due to the fact that the alleged perpetrators are strongly believed to be aliens and thus the police do not have a database of their fingerprints. Police investigation of this incident continues with a view to apprehending the perpetrators.
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> In their continuous effort to avoid recurrence of the incident, the police have stepped up security in the vicinity of the residence. Police personnel in charge of the area concerned have been issued with a standing instruction to visit the residence on a daily basis, in the evening and early morning. A blue police box containing a log book to be filled in by police personnel on their daily rounds has been installed at the entrance of the residence.
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> Malaysia is conscious of its obligation to protect as well as to ensure the security and safety of diplomatic and consular missions and representatives and is constantly undertaking measures to enhance their protection. Members of the diplomatic corps themselves have acknowledged the competence of the Malaysian authorities.

9. **Ukraine**, in its report dated 17 September 2001, provided information concerning the security and safety of the Consulate-General of Romania in Chernivtsi. The report was submitted in response to Romania's report, dated 20 June 2001, regarding, inter alia, several incidents in Chernivtsi (see para. 2 above). The report submitted by Ukraine, referring to the note of the Secretary-General dated 29 June 2001 concerning the above-mentioned report of Romania, reads as follows:

The issues mentioned in the note have been carefully considered by the Ministry of Foreign Affairs of Ukraine together with the Ministry of Internal Affairs of Ukraine and the Chernivtsi Regional State Administration.

These bodies report that some acts of hooliganism did indeed take place against the premises of the Consulate-General of Romania, as evidenced by the fact that a window and the glass of the entrance door to the building of the Consulate-General have been broken.

The internal affairs authorities carried out an investigation, but were unable to establish who was responsible. According to the head of the Chernivtsi Regional State Administration, however, these acts were not of a political nature.

A decision was therefore made, on the basis of article 7, part 2, of the Criminal Code of Ukraine, and article 6, paragraph 2, of the Criminal Procedure Code of Ukraine, not to bring criminal proceedings.

With regard to the theft of the car belonging to the Vice-Consul of Romania, L. L. Avram, the Department of Internal Affairs in the Chernivtsi region opened criminal case No. X-5006. Operational search measures are currently in progress to establish the identity of those involved in committing the theft.

As for the impounding of the car belonging to the Ministry of Foreign Affairs of Romania and the detention of its driver, a local resident, on 22 July 2000, the internal affairs authorities have no information about this matter. At the request of the Ministry of Foreign Affairs of Ukraine, the Ministry of Internal Affairs of Ukraine is conducting a further investigation of this matter.

In order to improve the security of the Consulate-General of Romania in Chernivtsi, the competent authorities in Ukraine have introduced additional measures. In particular, since 28 May 2001, a 24-hour police guard has been maintained beside the Consulate-General building. The maintenance of law and order at the site is constantly monitored by the Ministry of Internal Affairs of Ukraine.

It should also be noted that neither the Consulate-General nor the Romanian Embassy in Ukraine informed the Ministry of Foreign Affairs of Ukraine of these breaches of the protection, security and safety of the Consulate-General of Romania in Chernivtsi.

10. **Belarus, Hungary** and the **Syrian Arab Republic** reported that there had been no serious violations.